

DRINKING WATER & WASTEWATER PROFESSIONALS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 5/4/2016

BOARD MEMBERS PRESENT: Barry N Burnell - Chair
Dr Joan M Cloonan
John R Lee
Brad D Andersen
Daniel J Messier
Michael W Shepherd
Bryan A Lacy

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Kellie LaBonte, Technical Records Specialist

OTHERS PRESENT: Shelley Roberts, IRWA
Jason Hudson, IWON
Joe Heidt

The meeting was called to order at 8:30 AM MDT by Barry N Burnell.

Mr. Andersen made a motion to amend the agenda to include formal action for case number WWP-2016-4 Per Idaho Code 74-204 (4) (c) since the document was received by the Bureau the day of the meeting. It was seconded by Dr. Cloonan. Motion carried

APPROVAL OF MINUTES

Dr. Cloonan made a motion to approve the minutes of 2/3/2016. It was seconded by Mr. Shepherd. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the rules that were presented during the Legislative Session have passed and are in effect. The website has also been updated to reflect the changes to the rules.

Dr. Cloonan made a motion to draft a postcard to send to all Backflow Assembly Testers informing them of the new rules that are in effect; for the Board Chair to review; and to mail the postcards to BAT licensees. It was seconded by Mr. Shepherd. Motion carried.

Mr. Toryanski said that in response to the U.S. Supreme Court case North Carolina Board of Dental Examiners v. Federal Trade Commission, the Governor's proposed legislation passed and goes into effect July 1, 2016. It does the following: 1. Allows the Governor to consider recommendations made by associations or any individuals residing in the state and allows him to appoint any qualified individual to Idaho boards; 2. Provides that all board members serve at the Governor's pleasure; and 3. Provides for at least one consumer member on every board.

Ms. Cory reminded the Board that any new proposed law changes are due to the Governor's Office by August 1; and any proposed rule changes are due the third week in August for the 2017 Legislature.

Discussion was held regarding operators who hold Drinking Water Distribution Very Small Water System licenses and the option of those licensees testing up to a Class I license. The Board Chair said the rule states that in order to obtain a Class I license, the operator would need to have operating experience at a Class I system.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$412,000.00 as of 4/30/2016.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Dr. Cloonan made a motion to approve the Bureau's recommendation and authorize closure in case I-WWP-2016-6. It was seconded by Mr. Lee. Motion carried.

Dr. Cloonan made a motion to approve the Findings of Fact, Conclusions of Law and Final Order and authorize the Board Chair to sign on behalf of the Board in case WWP-2016-6. It was seconded by Mr. Shepherd. Motion carried.

Mr. Lee made a motion to approve the Findings of Fact, Conclusions of Law and Final Order and authorize the Board Chair to sign on behalf of the Board in case WWP-2016-4. It was seconded by Mr. Andersen. Motion carried.

TO DO LIST

The Board reviewed the to-do list and no action was taken.

UPDATE FROM IRWA REGARDING MEETINGS WITH PROFESSIONAL TECHNICAL EDUCATION (PTE)

Discussion was held regarding initiating an apprenticeship program for drinking water and wastewater professionals. Shelley Roberts with Idaho Rural Water Association (IRWA) introduced Jason Hudson to the Board. Mr. Hudson is an employee of AFL-CIO and a liaison on the statewide task force that is working to identify areas that could benefit from having an apprenticeship program. The task force has identified professions that are in need of an apprenticeship program – drinking water and wastewater operating being one of those areas. Each profession has a specific steering committee. The steering committee for drinking water and wastewater is comprised of Mr. Hudson, Ms. Roberts, and two Board members. Discussion was held regarding the need to potentially change rules in order to proceed. The Board would like to have more information before discussion of changes to laws and rules. One of the next steps is for the steering committee to identify a sponsor for the possible apprenticeship program.

EXAMINATION PROCESS

Ms. Cory provided the Board with a brief history of examinations. At one time, all operators in the State of Idaho had to travel to Boise for examination at the Bureau and examinations were only offered a limited number of times throughout the year. Then, the Bureau and the Board worked with the Idaho Department of Labor to be able to offer examinations in 6 different geographical locations throughout the state offering both computer-based and written examinations. The Department of Labor is no longer able to offer the local offices for examinations. The Bureau staff has been looking at other options – discussing the possible change in this process with Association of Boards of Certification (ABC) and with Professional Technical Education (PTE) regarding the possible use of testing centers located at the community and technical colleges. Bureau staff will continue to gather information, with input from the Board Chair, keeping the Board informed as needed.

EXECUTIVE SESSION

Mr. Lacy made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under

the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials and meet with an applicant. It was seconded by Dr. Cloonan. The vote was: Mr. Burnell, aye; Dr. Cloonan, aye; Mr. Lee, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye and Mr. Lacy, aye. Motion carried.

Dr. Cloonan made a motion to come out of executive session. It was seconded by Mr. Andersen. The vote was: Mr. Burnell, aye; Dr. Cloonan, aye; Mr. Lee, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye and Mr. Lacy, aye. Motion carried.

BUDGET REQUEST

The Board Chair indicated that nothing has changed in the budget request from last fiscal year to this fiscal year. Discussion was held and the Board found there was no need to increase the number of Board meetings nor increase the amount of attendance by Board members to out of state conferences. Also included in the budget request is to have Board members attend conferences such as AWWA – PNWS (American Water Works Association – Pacific Northwest Section).

BOARD MEMBERS ATTENDING CONFERENCES

The Board discussed attendance at the ABC Annual Conference January 10-13, 2017. Ms. LaBonte, Mr. Shepherd and Mr. Andersen (with Dr. Cloonan as an alternate should one of the others not be able to attend) will attend.

RENTAL CAR FOR BOARD MEMBER

Ms. Hall informed the Board that the state travel policies were recently updated and can be found on the reverse side of the travel voucher. The Board has been asked to approve when a Board member uses a rental car versus being reimbursed for mileage on a personal vehicle when the cost of the rental car is less than the state mileage rate. Ms. Hall further stated that we are obligated to pay the least expensive travel route. Original receipts should be submitted.

Dr. Cloonan made a motion to approve the costs of rental cars for Board members when it is the least costly mode of transportation to travel to Board meetings. This is a standing motion so Board approval will not have to be obtained in such cases. It was seconded by Mr. Andersen. Motion carried.

BOARD WEBSITE

Discussion was held regarding specific wording found on the Board's website regarding Backflow Assembly Tester examinations. The Board asked Ms. Hall and Ms. LaBonte to work on drafting language for clarification to be reviewed by

Mr. Andersen. Additionally, Mr. Andersen requested that the new Backflow Assembly Tester Code of Conduct be made more easily accessible via the website. Ms. Hall will work on this and communicate with Mr. Andersen. The Board also discussed possibly adding to the frequently asked questions section, if needed.

KEN KERRI CONTINUING EDUCATION COURSES

The Board discussed the general process of reviewing courses for CE approval and how Ken Kerri courses have been handled in the past. Ms. LaBonte said that there has been an increase in the number of phone calls from operators wanting to know if Ken Kerri courses are accepted by the Board.

Mr. Messier made a motion to approve all Ken Kerri courses offered under the Office of Water Programs from the California State University-Sacramento that are relevant to the profession. It was seconded by Mr. Shepherd. Motion carried.

CORRESPONDENCE

Correspondence was reviewed by the Board. Discussion was held. The Board Chair offered to respond.

EXECUTIVE SESSION

Mr. Lacy made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Lee. The vote was: Mr. Burnell, aye; Dr. Cloonan, aye; Mr. Lee, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye and Mr. Lacy, aye. Motion carried.

Mr. Lacy made a motion to come out of executive session. It was seconded by Mr. Shepherd. The vote was: Mr. Burnell, aye; Dr. Cloonan, aye; Mr. Lee, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye and Mr. Lacy, aye. Motion carried.

APPLICATIONS

Mr. Lee made a motion to approve 26 applications for licensure; to approve 72 applications for exam; to deny two applications; and to hold 15 applications pending more information. It was seconded by Mr. Shepherd. Motion carried.

Approved for Licensure

BRANDT ANTHONY ROSS

WWC1-21059

BRANDT ANTHONY ROSS	WWT1-21060
BROWN CRAIG W	WWT2-21151
CAMPBELL ROSS HYRUM	BAT-21213
CARNES AUSTIN W	WWT1-21080
DEWEY STEVEN LEE	WWT1-21073
DRAKE WARREN B	WWT1-21113
DRYDEN JAMES	DWD4-21082
DRYDEN JAMES	DWT1-21083
ETHERINGTON WILLIAM ISAAC	WWT1-21149
EVANS CODY	WWC1-21169
GREGORY TIM L	WWT1-20956
HULSEY MATTHEW THOMAS	WWT1-20955
JORGENSEN BLAKE	WWC1-21192
LAYTON KEVIN CHARLES	DWD1-21121
LAYTON KEVIN CHARLES	WWT1-21120
PARKER TIMOTHY R	DWD3-21044
PARKER TIMOTHY R	DWT2-21043
SARBACHER JEREMY	WWC1-21078
STATEN BRYAN MAX	WWC1-21206
THOMSON JUSTIN	WWT1-21168
VAID ALOKE	WWT2-21108
WHITNEY STEVEN	WWT1-20829
WHITNEY STEVEN	WWC1-20828
WILSON BRADLEY S	WWC1-21077
WOOTON DAVID	WWC1-21125

Approved for Exam

ANDERSON JASON LEE	DWDVSWS
ANDERSON THOMAS R	WWT1
ARREOLA SALVADOR	WWT4
BALANCE JERRY EDMOND	DWD2
BARNES MISTY DAWN	WWT2
BEBERNESS STEVEN EUGENE	WWT2
BOWMAN CLAYTON ROBERT	WWC1
BOWMAN PHILLIP	DWD3
BOYACK DAVID	WWT2
BRADLEY ANDREW SETH	WWC1
BRAUBURGER JASON L	WWT1
BRIDGER ED	DWDVSWS
BROWEN SCOTT WESLEY	DWDOIT
BURNETT JAMES VIRGIL	WWTOIT
BYRD RODNEY	WWC1
CERQUETTINI JERALD	WWT1
CHRISTENSEN CARL ALAN	WWTLA
COLEMAN CORY	WWTOIT
COPLEY MARK A.	WWT3

COSTNER NATHAN JOSEPH	WWL1
CROOKSTON RILEY B	DWD1
CURTIS HOWARD KENT	WWT1
CUSTER ZANE ANDREW	WWT2
DELLARIO MARC P	DWDVSWWS
EKSTROM KENNETH A	WWT2
ELLSWORTH BRYSON DANIEL	DWD2
ETHERINGTON MATTHEW	DWD2
FARLEY WYATT CHARLES	DWD1
GLIDEWELL RYAN	WWL1
GONZALEZ JUAN MANUEL	WWT2
GONZALEZ ISAAC L	WWT1
GRANDELL LEO	WWT1
GRIESER BRYAN JAMES	WWT2
GRIFFEL BRETT	WWT2
GRIFFITH CARL JOSEPH	WWT2
GRIMM BOB W	DWT1
HANSEN NANCY J	DWT1
HEIDT JOSEPH A	WWL2
HENDRICKS JASON MICHEAL	DWD3
HERNANDEZ MARCOS A	DWT2
HILLIARD ROBERT JOHN	WWC1
HOLLINGSWORTH DUSTIN K	WWT3
HOLT TODD EARL	WWT1
HOWARD BRIAN LUCUS	DWD1
HOWELL NATHAN MICHAEL	WWL2
KELLAR JOHN M	WWC1
KIBBIE RYAN WILLIAM	DWD1
LEWIS GERALD	DWD1
LOUGHMILLER JOSE M	WWT1
MENDIOLA ADAM	DWD1
NADEAU MIKE	WWC4
NAJERA ARTURO	DWT1
PARKER MIKE J	WWT1
PARKINSON DUSTIN ALAN	DWD3
PARKINSON DUSTIN ALAN	DWT1
PESIKAN MATTHEW D	DWD3
RICE WESLEY JAMES	WWT1
RODRIGUEZ JOEL	DWD3
ROGERS SUNSHINE	DWD2
ROSE KYLE THOMAS	WWT2
SCHOONOVER CURT L	WWT4
SNYDER TIMOTHY Z	DWDOIT
SPECK MELISSA AMBER	DWDVSWWS
STRICKLIN RICK F	WWT1
TAYLOR SCOTT	WWC2

TIMAR EVAN DEAN	WWT1
TOLBERT BRYAN KEITH	WWTOIT
VANKEUREN CHRISTOPHER	DWD2
WATERMAN TY	WWT2
WELKER MARK R	WWC1
YATES STEVE M	DWD2
YEAMAN JASON WILLIAM	WWT2

Denied

BROWN JON MARC
TIMAR EVAN DEAN

Pending

901144437
901144168
901134363
901145011
901144394
901130353
901140144
901140144
901144598
901143814
901141490
901095270
901144192
901122543
901144447

NEXT MEETING is scheduled for Wednesday, August 3, 2016.

ADJOURNMENT

Mr. Andersen made a motion to adjourn the meeting at 12:53 PM. It was seconded by Dr. Cloonan. Motion carried.

Barry N Burnell, Chair

Dr Joan M Cloonan

John R Lee

Brad D Andersen

Daniel J Messier

Michael W Shepherd

Bryan A Lacy

Tana Cory, Bureau Chief